

In re Application of: D. Theron Van Hooser

Attention: Application Branch

Serial No.: 10/037,463

Date: February 19, 2002

Filed: December 21, 2001

Attorney Docket No.: BAL-107 (17456)

Confirmation No.: 4814

Art Unit: 3764

Title: Respiratory Circuit Support Arm

Our Account No.: 04-1403

Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, DC 20231

Sir:

The following completes the filing of the above-identified patent application under Rule 52, 53, and/or 85:

- ☒ Rule 53 signed Declaration enclosed.  
☐ This is a Rule 47 filing per attached Petition.  
☐ Enclosed: Original signed Declaration with attached specification (including claims) which is a copy of specification/claims originally filed to secure above filing date.  
☐ Specification originally filed in non-English language; hence verified translation attached of:  
☐ Abstract ☐ pages of Specification (only spec. & claims) ☐ Drawing Figs.  
☐ sheet(s) of formal drawings enclosed: size: ☐ A4 ☐ 14" ☐ 8½ by 11  
☒ Attached is an assignment to Kimberly-Clark Worldwide, Inc.  
☐ Priority is hereby claimed under rule 55 and 35 U.S.C. 119 based on prior foreign application(s) no(s).  
☐ filed in \_\_\_\_\_ on \_\_\_\_\_, respectively.  
☐ Certified copy (copies) ☐ attached; ☐ already filed on \_\_\_\_\_ in U.S. Application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_.  
☐ "Small Entity" status under Rules 9 & 27 claimed. ☐ Attached: Verified Statement(s) establishing "small entity."  
☒ Attached is the request return copy of the PTO Notice under Rule 52, 53, and/or 85.  
☒ Attached: IDS and IDS References  
☐ Preliminary Amendment: \_\_\_\_\_

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED  
PER MPEP § 506 AND § 607**

If not earlier paid, add Basic Filing Fee .....	\$ 740.00
Total Effective Claims <u>28</u> - 20 = <u>8</u> x \$18.00 =	\$ 144.00
Independent Claims <u>3</u> - 3 = <u>0</u> x \$84.00 =	\$ 0.00
If <u>any proper</u> multiple dependent claim (ignore improper) is present, add \$280.00	\$
Filing Fee	\$

Since PTO Notice under Rule 52, 53, and/or 85 set an original due date of April 6, 2002,  
petition is hereby made for an extension to cover the date this response is filed for which the  
requisite fee is enclosed (1 month \$110; 2 months \$400; 3 months \$920; 4 months \$1440).

If this is the <u>first</u> time either signed Declaration filed or filing fee paid, add Surcharge (\$130)	\$ 130.00
Subtotal	\$
If "small entity" status box above is X'd, enter half (1/2) of subtotal & <u>subtract</u>	\$
Total =	\$
If "non-English" box above is X'd, add Rule 17(i) or (k) processing fee \$130.00	\$
If "assignment" box is X'd, add recording fee (\$40.00)	\$ 40.00
If "Rule 47" box above is X-d, add Petition fee \$130.00 Rule 17(h)	\$
<b>TOTAL FEE ENCLOSED</b>	<b>\$ 1,054.00</b>

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

Post Office Box 1449  
Greenville, South Carolina 29602  
Phone: 864-271-1592  
Facsimile: 864-233-7342

DORITY &amp; MANNING

ATTORNEYS AT LAW, P.A.

By Atty: Neal P. Pierotti Reg. No. 45,716Signature: Neal P. Pierotti Date February 19, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20231, on

February 19, 2002

Peggy J. Whittenberg

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/037,463	12/21/2001	D. Theron Van Hooser	BAL-107 (17456)

CONFIRMATION NO. 4814

## FORMALITIES LETTER



\*OC00000007432192\*

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Date Mailed: 02/06/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/06/2002 SHINASS1 00000080 10037463

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:103	144.00 OP
03 FC:105	130.00 OP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$144.  
    ■ \$144 for 8 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1014.

*A copy of this notice **MUST** be returned with the reply.*

*S. Goren*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE